



**Townsend Town Council Meeting**  
**March 22<sup>nd</sup>, 2023 @ 5:45 pm**  
**VIA CONFERENCE CALL &**  
**Town Hall**  
**141 Main St, Townsend, DE 19734**

5:45 pm Town Council Meeting

I. Call to Order: 5:57 pm

II. Opening Ceremonies

- A. Roll Call: Mayor S. Lobdell,  
Councilwoman S. Rojas,  
Councilman J. Mertz,  
Councilwoman E. Clarke,  
Police Chief R. Longo,

Town Manager A. Tantillo, Town Solicitor N. C. Griffiths, and Town Clerk M. Rivera.  
Councilman E. Dugan absent.

- B. Pledge of Allegiance: All present recited the Pledge of Allegiance.

- C. Recognition of Visitors: None

- D. Announcements:

1. CM Mertz announced today is World Water Day, explaining the day focuses on providing clean water to everyone. Additionally, this is recognized by the United Nations and reminded everyone to change their refrigerator filters every six months.

III. Citizens Comments & Participation

- A. None

IV. Adoption of Agenda.

- A. *CW Rojas made a motion to adopt the agenda. CW Clarke seconded the motion. Voice vote of all Council: all yeas – CM Dugan absent.*

1. Agenda adopted.

V. Committee Reports:

- A. **Code Review Committee:** Chair: Mayor Lobdell, Co-Chair: Councilman Mertz

1. **ACTION ITEM:** Discussion and possible vote regarding Resolution 2023-001 A  
Resolution to Request to Amend the Town of Townsend Charter.

- a. Mayor Lobdell reminded Council discussions regarding the Charter changes were held at the last meeting. Additionally, Council requested to review a clean copy prior to voting to send the revised Charter to the State Legislatures for approval.
- b. CM Mertz noted discussion regarding 5.8.1, appointments for term of office, are not reflected in the revision. Additionally, 5.8.2 was added due to discussion, therefore this verbiage should be reflected in the previous section.

Town Meetings will return to both an in person and a virtual format.

Those wishing to attend virtually may dial **1(301)715-8592**. When directed, provide following meeting ID **827- 6421-7575#** and then the following password **361631#** to enter the meeting. If you choose to access the meeting online click the following link: <https://us02web.zoom.us/j/82764217575?pwd=aHI4RDhTZ0xiME1HV0ZOcHRxSHZ3QT09>

Residents will be able to view documents posted to the meeting tab on the Town website at <https://townsend.delaware.gov> or by joining the meeting via computer.

- i. CW Clarke noted an election would not take place depending on the term appointment. Mayor Lobdell noted this will prevent all Council member seats from being open at the same time.
  - ii. CW Clarke noted this may cause an issue with recruitment noting an appointed member may not be able to serve the full term. CM Mertz noted Council members have the option to resign. Additionally, as written, Council is to listen and be held accountable to the voice of the people. Therefore, the people have the ability to overrule or elect a Council member.
  - iii. Council noted there is a low turnout of candidates who run for election. CW Clarke advised the proposed revision does not allow for the voice of the people to be heard. CM Mertz noted there is confusion and the possibility of five Council members running for election. Mayor Lobdell noted if he had chosen a one-year term, then all Council members seats would be up for election this year.
  - iv. TM Tantillo noted the revision still allows for the voice of the people to be heard if within 90 days of swearing in. TM Tantillo provided a reading of section 5.8.2. TM Tantillo reminded Council they are all voted in to be the voice of the people; therefore, by appointing a member to fulfill a term they are representing the voice of the people. Mayor Lobdell noted this discussion would not happen if there were a higher turnout of candidates.
  - v. *CM Mertz made a motion to strikeout in Section 5.8.1 of the Charter, "until the next annual municipal election" and replace with "until the next annual municipal election until the remainder of that term." CW Rojas seconded the motion. Voice vote of all Council: all yea's – CM Dugan absent.*
    - a. Council revised Section 5.8.1 of the Charter.
  - vi. Council agreed to have revision as motioned by CM Mertz done live during meeting by TC Rivera.
- c. Council noted clerical revisions needed for:
- i. Section 5.1
  - ii. Section 5.2
  - iii. Section 5.8
  - iv. Section 5.9
  - v. Section 5.10
  - vi. Council agreed to have clerical revisions made as discussed above live during meeting by TC Rivera.
- d. Council agreed to have the following revisions made live during meeting by TC Rivera:
- i. Section 7.8.1

- a. Chief Longo confirmed Police Officers will be brought to the Town Council to be sworn in and appointed, after the interview process.
  - b. *CM Mertz made a motion to strikeout, "If appointed, the Chief of Police and subordinate members of the police force shall each be appointed by the Town Council for an indefinite term." from this section and replace with "When appointed by the Town Council, the Chief of Police may serve a term as determined by Town Council. Subordinate members of the police force shall be selected by the Chief of Police and be appointed by the Town Council for an indefinite term."*. *CW Rojas seconded the motion. Voice vote of all Council: all yea's – CM Dugan absent.*
    - i. Council revised Section 7.8.1 of the Charter.
- e. CM Mertz read 5.9.3, Vacancies in Office. Mayor Lobdell noted this revision is tied to the proposed ordinance, on the agenda. TM Tantillo clarified Council will choose an appointment to fill the vacancy. TM Tantillo confirmed a Council member may request to be considered for appointment instead of remaining in office until a successor is appointed.
  - i.
  - ii. CM Mertz noted this allows for Council to still function if there were too many vacancies. Furthermore, this will prevent a scenario in which only one or two people are left on Council.
  - iii. Mayor Lobdell noted this change will not occur to the Charter until after this year's election. CM Mertz clarified the change will occur if the ordinance is passed. TM Tantillo confirmed the ordinance may be revised to apply to the following year. Mayor Lobdell advised this should be something a candidate should know prior to running for election.
  - iv. CW Rojas wanted to know what the consequence is. TS Griffiths advised this section does not have a consequence. CM Mertz clarified this section is to avoid an issue with quorum.
- f. CM Mertz made a motion to approve the Charter and Resolution 2023-001 A Resolution to Request to Amend the Town of Townsend Charter as written and discussed in the Town Council Workshop meeting for March 22<sup>nd</sup>, 2023.
  - i. Motion Died.
  - ii. TS Griffiths advised a new reading is needed due to the substantial changes made to the Charter during the meeting.
  - iii. *CM Mertz made a motion to table Resolution 2023-001 A Resolution to Request to Amend the Town of Townsend Charter as written and discussed in the Town Council Workshop meeting for March 22<sup>nd</sup>, 2023. CW Clarke seconded the motion. Voice vote of all Council: yeas. – CM Dugan absent.*

- a. Council tabled Resolution 2023-001 A Resolution to Request to Amend the Town of Townsend Charter adopted.
2. Discussion regarding Ordinance 2023-002 An Ordinance to Amend Section 2.20 Elections of the Town of Townsend Municipal Code in order to fill vacancies when there are not enough candidates for office.
  - a. CM Mertz presented Ordinance 2023-002 An Ordinance to Amend Section 2.20 Elections of the Town of Townsend Municipal Code.
  - b. TC Rivera provided a reading of Ordinance 2023-002 An Ordinance to Amend Section 2.20 Elections of the Town of Townsend Municipal Code in order to fill vacancies when there are not enough candidates for office.
  - c. TM Tantillo reminded Council there will be a public hearing for the ordinance on April 5<sup>th</sup> at 6:30 pm before the Town Council meeting.
  - d. CM Mertz made a motion to add verbiage to the Ordinance to Amend Section 2.20 Elections of the Town of Townsend Municipal Code that this change does not come into effect until the 2024 election cycle.
  - e. TM Tantillo advised this verbiage will be part of the ordinance.
  - f. CM Mertz withdrew the motion. Motion died.

**VI. Adjournment.**

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A. *CW Clarke made a motion to adjourn the meeting. CW Clarke seconded the motion. Voice vote of all Council: all yea's – CM Dugan absent.*

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1. Meeting adjourned at 6:49 pm.
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